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*Counsel for Defendants Cachet Financial Services  
and Financial Business Group Holdings*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SARAH SIMMONS, an individual; AARON  
MCALLISTER, an individual; ROI-IT, LLC, a  
Nevada limited liability company on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

CACHET FINANCIAL SERVICES, et al.,

Defendants.

Case No.: 2:19-cv-01624-GMN-VCF

**STIPULATION TO SET BRIEFING  
SCHEDULE FOR DEFENDANTS'  
MOTION TO DISMISS**

This stipulation is entered into by Plaintiffs Sarah Simmons, Aaron McAllister, and ROI-IT, LLC (collectively, "Plaintiffs"), on the one hand, and Defendants Cachet Financial Services ("Cachet") and Financial Business Group Holdings ("FBG" and together with Cachet, "Defendants"), on the other hand, by and through their respective counsel, with reference to the following facts and recitals:

- a) Plaintiffs filed their first amended complaint on December 9, 2019;
- b) The existing deadline for Defendants to respond to Plaintiffs' complaint is December 23, 2019;

1 c) Defendants have represented to Plaintiffs that, in response to the first amended  
2 complaint, they intend to file a motion to dismiss, or, in the alternative, to transfer venue or for a  
3 more definite statement;

4 d) To accommodate the parties' holiday, travel, and work schedules, the parties have  
5 agreed to set a briefing schedule for Defendants' motion;

6 e) This Court previously granted an extension to respond to the *original* complaint on  
7 October 25, 2019 (ECF No. 24).

8 f) Defendants have not previously requested an extension of the deadline to respond to  
9 the first amended complaint.

10 **NOW, THEREFORE**, the parties hereby stipulate and agree, subject to Court approval, to  
11 set the following briefing schedule for Defendants' motion in response to the first amended  
12 complaint:

- 13 • Opening Motion: January 8, 2020
- 14 • Opposition: January 31, 2020
- 15 • Reply: February 10, 2020

16 Nothing in this stipulation shall be construed as a waiver or relinquishment of any party's  
17 rights, remedies, objections, or defenses, all of which are expressly reserved.

18 DATED December 11, 2019.

DATED December 11, 2019.

19 MCNUTT LAW FIRM, P.C.

SEMENZA KIRCHER RICKARD

20 /s/ Dan McNutt

/s/ Lawrence J. Semenza, III

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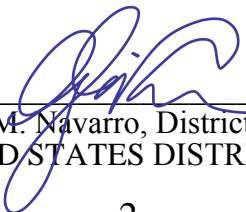
24 *Services and Financial Business Group Holdings*

Las Vegas, Nevada 89145

*Counsel for Plaintiffs*

**IT IS SO ORDERED.**

Dated this 12 day of December, 2019.

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Gloria M. Navarro, District Judge  
UNITED STATES DISTRICT COURT